

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTY FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 24008 of 2004

Between:

Borra Venkata Swamy, S/o Venkateswara Rao,
R/o Nidamarru, Kruthivenu Mandal, Krishna District.

..... PETITIONER

AND

- 1 Government of Andhra Pradesh, rep. by its Secretary, Home Department, Secretariat Buildings, Hyderabad.
- 2 Collector and District Magistrate, Krishna District, Machilipatnam.
- 3 Superintendent of Central Prison, Rajahmundry.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Habeas Corpus directing the respondents to produce Burra Venkateswara Rao son of Pothuraju, resident of Nidamarru village, Kruthivenu Mandal, Krishna District presently detained in Central Prison, Rajahmundry and release him forthwith by declaring the order of detention in Rc.No.2927/2004/C1 dated 28-10-2004 passed by the second respondent as illegal and unconstitutional.

Counsel for the Petitioner: MR.K.SURESHREDDY

Counsel for the Respondents: THE ADVOCATE GENERAL

The Court made the following :

HON'BLE MR. JUSTICE BILAL NAZKI
AND
HON'BLE DR. JUSTICE G. YETHIRAJULU

W.P.No. 24008 of 2004

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ORDER: (Per Hon'ble Mr. Justice Bilal Nazki)

Learned counsel for the petitioner submits that the detenu has already been released. As such the writ petition has become infructuous which is accordingly dismissed.

BN J.

GYR J.

Dt.31.12.2004

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Sd/-

ASST. REGISTRAR

To

- 1 Government of Andhra Pradesh, rep. by its Secretary, Home Department, Secretariat Buildings, Hyderabad.**
- 2 Collector and District Magistrate, Krishna District, Machilipatnam.**
- 3 Superintendent of Central Prison, Rajahmundry.**
4. 2CCs to Advocate General, High Court Buildings, Hyderabad (out)
5. 2CD copies